

REMARKS

Claims 24-69 are presented, apparatus claims 24, 29, 31 and 38 being independent and method claim 50 being independent. Claims 24-49 and 63-69 are apparatus claims, 50-62 are method claims. The claims under examination are generic and also read on the species of Fig. 2b. It is pointed out that after allowance of claims reading on the species, then in accordance with the MPEP the next species is to be taken up for examination, or re-joined to an allowable generic claim.

Appreciation is expressed for allowance of claim 38 that was written in independent form.

It is appreciated that dependent claim 26 has been rejoined with the elected species Fig. 2b.

Appreciation is expressed for the telephone conference of August 10, 2004 to discuss the priority claim and the re-joining of the method claim upon amending it to include the feature of allowable claim 38.

Claim 26 is amended to recite better antecedence to correct a typographical error that might have been misread as an unintended redundancy where the word "zones" was already in the plural form; method claim 52 is similarly amended. Claim 36 is amended for better antecedence with amended claim 24; method claim 57 is similarly amended relative amended claim 50.

New dependent claims 63-69 are added dependent from allowed independent claim 38, and they each recite the features of previously presented, currently pending dependent claims 25, 26, 35, 40, 43, 44 and 49, respectively.

Dependent claims 59 and 60 are amended to conform for antecedence with amended claim 50, the allowable feature of claim 38 (which was also recited in claim 60) having been added into claim 50. Support for the feature of claim 59 is seen at e.g. page 12, third paragraph,

and for amended claim 60 at page 12, lines 20-27. It is noted that amended claim 50 is not limited to an order in which the step of end-rounding is performed; dependent amended claim 60 is directed to a preferred order.

Claim Rejections:

Independent claims 29 and 31 are rejected solely under §102(e) on Weihrauch US Pat. 6,506,327, having US effective filing date of November 3, 1998. The rejection is respectfully traversed. Applicants' claimed benefit of their German priority application 198 41 974 has been acknowledged and a translation co-filed with the priority document already of record (this application) bearing the Declaration of the translator Ms. Birgit Hubatsch.

The subject matter of claim 29 ("... zones comprise different filler materials ...") and claim 31 ("... zones comprise different colorants ...") is disclosed in the priority document at e.g. page 6, within the first full paragraph of the detailed description, lines 12-13 of that page at the sentence "... wobei die Möglichkeit besteht, dass der Kunststoff der Bereiche 2, 3 unterschiedliche Füllstoffe oder auch Farben besitzt." and in claim 3 of the priority document, which text likewise appears in the English text at page 7, lines 19-20 as "... with the possibility for the plastic in zones 2, 3 to have different filler materials or colors" and in original claim 3.

The undersigned acknowledges with appreciation Examiner's having compared the International application and the German priority application and advised Applicants' undersigned that the translation of record is sufficient. Thus, any rejection under Weihrauch '327 is overcome. It is respectfully submitted that claims 29 and 31 are allowable.

Further rejections:

The claims have been rejected under various §102 sub-paragraphs on each of Bond U.S. 5,128,208; and German Hans et al. DE 196 40 853 A1, which is assigned to the present assignee.

Claim 38 was allowed, and to advance the prosecution the feature of claim 38, which recites the bristle is end-rounded, is added into claim 24, and a conforming editorial change for antecedence. (It is further pointed out that the Hans DE '953 simply connects filaments that have completely separate identity from one another, and the solvent-welded individual braided strands of Hans do not show or suggest an interface as recited in amended Claim 24 defined by a divided and rejoined mass flow to define a region of preferred breaking.)

Election/ Restriction

It is proposed that withdrawn dependent claims 25, 27, 42, 45-48 be re-joined to allowable generic claims.

As discussed with Examiner, it is understood that since amended method claim 50 now recites the features expressed in claim 38, it would not be restrictable therefrom and would be rejoined.

Thus, the amended claims are believed patentable over all the cited references, and a Notice of Allowance is respectfully solicited.

If a telephone conference would helpfully advance prosecution, the Examiner is invited to telephone the undersigned at 617-421-7939.

Please apply any charges or credits to Deposit Account No. 07-1350.

Respectfully submitted,


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Date: September 17, 2004

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